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EXAMINER	
RODRIGUEZ, PAUL L	

ART UNIT	PAPER NUMBER
2125	

DATE MAILED: 06/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/844,270	TRAVALY ET AL.	
	Examiner	Art Unit	
	Paul L. Rodriguez	2125	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-28 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-28 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on 30 April 2001 is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 9/27/01.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-28 are presented for examination.

Oath/Declaration

2. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

> The oath or declaration is defective because: While applicant intended to list the citizenship as "US" for inventor number 2, it was listed as "IUS" which appears to be a typographical error. Therefore the oath or declaration was not executed in accordance with either 37 CFR 1.66 or 1.68.

Drawings

3. The drawings are objected to because figure 3 has details and print so small that they have become illegible and the content of the drawing cannot be determined. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and

informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 42, 58, 70 and 152. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

5. The disclosure is objected to because of the following informalities:

Paragraph 28 line 8 refers to "hub 14", previously "interface unit 14" and "hub 20".

Paragraph 28 lines 8-9 states "...the mobile 17 determines...", should be mobile user 17.

Paragraph 29 line 8 refers to "server 52", figure 5 labels as 152.

Appropriate correction is required.

Claim Objections

6. Claims 1, 8, 14 and 23 are objected to because of the following informalities:

Claim 1 line 9 refers to "said processor system", previously referred to as "at least one processor system". Reference to the same limitations should remain consistent to avoid any possible confusion in the claims.

Claim 8 line 5 refers to "said antenna assembly", previously "at least one antenna assembly". Reference to the same limitations should remain consistent to avoid any possible antecedent issues or confusion in the claims.

Claim 14 line 6 recites "...coupled said..." would be better as "...coupled to said..."

Claim 23 line 8 states "the data received from the processor system", data is received by the processor system, not from it.

Appropriate correction is required.

7. The examiner has provided a number of examples of the claim deficiencies in the above, however, the list of deficiencies may not be all inclusive. Applicant should refer to these as examples of deficiencies and should make all the necessary corrections to eliminate the claim objections.

Claim Rejections - 35 USC § 112

8. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

9. Claims 1-15 and 23-25 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

10. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim. Claim 1 line 10 recites, "the data received from the processor system", previously the processor system receives power plant data, the data is not from the processor system. Would be better as data received by the processor system.

11. Claim 1 recites the limitation "said server computer" in line 23. There is insufficient antecedent basis for this limitation in the claim. Previously a server system.

12. Claim 5 recites the limitation "said wireless network" in lines 1-2. There is insufficient antecedent basis for this limitation in the claim. It is unclear is this is referring to the wireless network recited in claim 4 or claim 1.

13. Claim 6 recites the limitation "said IP data interface" in line 7. There is insufficient antecedent basis for this limitation in the claim.

14. Claim 10 recites the limitation "said mobile unit" in lines 10-11. There is insufficient antecedent basis for this limitation in the claim.

15. Claim 11 recites the limitation "said at least one interface device" in line 4. There is insufficient antecedent basis for this limitation in the claim. Previously "at least one interface" with no previous reference to a device.

16. Claim 12 recites the limitation "said LAN" in lines 1-2. There is insufficient antecedent basis for this limitation in the claim. Claim 12 depends from claim 10 not claim 11.

17. Claim 13 recites the limitation "said at least one antenna assembly" in lines 6-7. There is insufficient antecedent basis for this limitation in the claim.

18. Claim 14 recites the limitation "said IP data interface" in line 7. There is insufficient antecedent basis for this limitation in the claim. Claim 14 depends from claim 10 not claim 13.

19. Claim 15 recites the limitation "said server" in lines 1-2. There is insufficient antecedent basis for this limitation in the claim.

20. Claim 15 recites the limitation "said server computer" in lines 7-8. There is insufficient antecedent basis for this limitation in the claim. Previously recited a server and not a server computer.

21. Claim 23 recites the limitation "said server computer" in line 21. There is insufficient antecedent basis for this limitation in the claim.

22. Due to the number of 35 USC § 112 second paragraph rejections, the examiner has provided a number of examples of the claim deficiencies in the above rejection(s), however, the list of rejections may not be all inclusive. Applicant should refer to these rejections as examples

of deficiencies and should make all the necessary corrections to eliminate the 35 USC § 112 second paragraph problems and place the claims in a proper format.

23. Due to the number of claim deficiencies, the claims have been treated on their merits as best understood by the examiner.

Claim Rejections - 35 USC § 102

24. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

25. Claims 1-3, 9-11, 16-19, 21 and 22 are rejected under 35 U.S.C. 102(e) as being anticipated by Petrie et al (U.S. Pat 6,882,904). The claimed invention reads on Petrie et al as follows:

Petrie et al discloses (claim 1) a system for digitization of work processes in a power plant having a gas turbine (figures 5-7, col. 2 line 50, 63, col. 5 lines 35-38), comprising at least one processor system having a controller (reference number 107, 108, col. 10 line 65 – col. 11 line 10), said at least one processor receiving power plant data, and said controller controlling said gas turbine (col. 10 line 65 – col. 11 line 10), at least one interface device communicatively coupled to said processor system for communicating the data received from the processor system (reference number 109, 110, 502, 512, 522) to at least one of a mobile computing system and a computer system carried by a mobile user (figure 7, reference numbers 15, 17, col. 12 line 60 –

col. 13 line 9), said controller capable of receiving instructions from the mobile user to control the gas turbine (reference number 6, 7, col. 11 line 36 – col. 12 line 50, col. 12 line 60 – col. 13 line 9, reference number 680a, figure 6 controls), a local area network (LAN) in communication with said at least one interface device (col. 12 lines 60-65), at least one antenna assembly having a transceiver system for transmitting and receiving signals from the at least one interface device (reference numbers 15, 17, inherent), and a network server system communicatively coupled to said at least one antenna assembly via a wireless communication network, said server computer including a database for storing application data accessible by the mobile user (col. 10 line 48 – col. 11 line 35, col. 12 line 60 – col. 13 line 9), (claim 2) wherein said at least one interface device is a wireless access point device, and said computer system carried by said user is a wearable computer (reference number 15, 17, Examiner considers 15 and 17 as wireless access point devices and are wearable either though a belt clip, holder or placing in a pocket), (claim 3) wherein said access point device is capable of communicating the data received from the processor system to the server computer via said LAN (figure 7), (claim 9) wherein said wireless access point is capable of operating on DC power (inherent, mobile phones and PDAs operate on DC power), (claim 10) a communication network for controlling a power plant having a gas turbine (figures 4-7), said network comprising a controller coupled to said power plant to control the gas turbine (reference number 107, 108) and at least one interface communicatively coupled to said controller (reference number 109, 110), said interface communicating with at least one of a mobile computing system and a wearable computer carried by a mobile user (reference number 15, 17, figure 7), said controller receiving instructions from one of said mobile unit and the mobile user for controlling said gas turbine (col. 11 line 36 – col. 12 line 50, col. 12 line 60 – col.

13 line 9, reference number 680a, figure 6 controls), (claim 11) a local area network (LAN) in communication with said at least one interface device (col. 12 lines 60-65), at least one antenna assembly having a transceiver system for transmitting and receiving signals from the at least one interface device (reference number 15, 17, inherent to a wireless device), and at least one network server communicatively coupled to said at least one antenna assembly via a wireless communication network, said server including a database for storing application data accessible by the mobile user (col. 10 lines 48 – col. 11 line 35, col. 12 line 60 – col. 13 line 9), (claims 16-19, 21 and 22) are considered various combinations and variations of the claim limitations addressed above, also considered anticipated. Examiner would like to point out that any reference to specific figures, columns and lines should not be considered limiting in any way, the entire reference is considered to provide disclosure relating to the claimed invention.

26. Claims 1-6 and 9-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Bjorklund (U.S. Pub 2001/0107615). The claimed invention reads on Bjorklund as follows:

Bjorklund discloses (claim 1, 23) a system for digitization of work processes in a power plant (figure 4) having a gas turbine (paragraph 4, 17, micro turbines are also gas turbines), comprising at least one processor system having a controller, said at least one processor receiving power plant data, and said controller controlling said gas turbine (paragraph 100, reference number 19), at least one interface device communicatively coupled to said processor system for communicating the data received from the processor system to at least one of a mobile computing system and a computer system carried by a mobile user (paragraph 110), said controller capable of receiving instructions from the mobile user to control the gas turbine

(paragraph 108, 110, 136), a local area network (LAN) in communication with said at least one interface device (reference number 39, paragraph 110), at least one antenna assembly having a transceiver system for transmitting and receiving signals from the at least one interface device (paragraph 110, inherent to the laptop with wireless network hardware or handheld device 48) and a network server system communicatively coupled to said at least one antenna assembly via a wireless communication network, said server computer including a database for storing application data accessible by the mobile user (reference number 41, paragraph 100, 108, connected to LAN, Bridge 42 and 44 and 47), (claim 2, 24) wherein said at least one interface device is a wireless access point device, and said computer system carried by said user is a wearable computer (reference number 48, paragraph 110), (claim 3, 25) wherein said access point device is capable of communicating the data received from the processor system to the server computer via said LAN (figure 4), (claim 4) wherein said LAN comprises a wireless network (paragraph 85) and a router (paragraph 100, inherent to LAN, figure 4), (claim 5) wherein said wireless network is linked to said at least antenna assembly via an internet protocol (IP) data interface (paragraph 135), (claim 6) further comprises a private branch exchange network (PBX) (paragraph 40), a voice over IP (VOIP) gateway coupled to said PBX (reference number 49, paragraph 111), and an ethernet interface coupled said VOIP gateway and said IP data interface (paragraph 108, 114), (claim 9) wherein said wireless access point is capable of operating on DC power (paragraph 110, inherent laptops and PDAs run on DC power), (claim 10) a communication network for controlling a power plant having a gas turbine (figure 4), said network comprising a controller coupled to said power plant to control the gas turbine (reference number 19), and at least one interface communicatively coupled to said controller, said interface

communicating with at least one of a mobile computing system and a wearable computer carried by a mobile user (reference number 48), said controller receiving instructions from one of said mobile unit and the mobile user for controlling said gas turbine (paragraph 108, 110, 136), (claim 11) further comprises a local area network (LAN) in communication with said at least one interface device (reference number 39), at least one antenna assembly having a transceiver system for transmitting and receiving signals from the at least one interface device (reference number 48, inherent), and at least one network server communicatively coupled to said at least one antenna assembly via a wireless communication network, said server including a database for storing application data accessible by the mobile user (reference number 41 via reference number 47, paragraph 100, 108), (claim 12) wherein said LAN comprises a wireless network and a router (paragraph 85, 110, 114, 136), (claim 13) wherein said wireless network is linked to said at least antenna assembly via an internet protocol (IP) data interface (paragraph 135, 136), (claim 14) a private branch exchange network (PBX) (paragraph 40), a voice over IP (VOIP) gateway coupled to said PBX (paragraph 111, reference number 49), and an ethernet interface coupled said VOIP gateway and said IP data interface (paragraph 108, 114), (claim 15) wherein said server comprises at least one router, a packet switching network communicatively coupled to said at least one router (paragraph 100, 108-110, 135, 136), and a wide area network (WAN) coupled to said at least one router for communicating data from said server computer to said antenna assembly via an orbiting satellite (claim 17, paragraph 40, 135, anticipates satellite communications), (claim 16, 26) in a power plant of the type having a gas turbine, a method of controlling the power plant (figure 4) comprising receiving power plant data by at least one processor system having a controller (reference number 19), forwarding the received data to at

least one of a mobile unit and a wearable computer carried by a mobile user via an interface device (reference number 48), inspecting the received data to determine power plant operability (paragraph 108, 110), receiving, by the wearable computer via a wireless network, software application data stored in a remote server (reference number 41), instructing the controller to vary the power plant operation (paragraph 110, 136), (claim 17) forwarding plant data to a remote user via a wireless communication network (reference number 47), (claim 18) wherein the power plant operation is varied by varying the operation of the gas turbine (inherent), (claim 19) wherein said interface device is a wireless access point (reference number 48, 42), (claim 20) wherein said wireless communication network includes an antenna assembly and an orbiting satellite system (paragraph 40, anticipates satellite communications), (claim 21) wherein the application data is received by a mobile user (paragraph 110) and (claim 22) wherein the power plant is controlled from at least the mobile unit and the wearable computer (paragraph 110, 136). Examiner would like to point out that any reference to specific figures or paragraphs should not be considered limiting in any way, the entire reference is considered to provide disclosure relating to the claimed invention.

27. Claims 23-26 and 28 are rejected under 35 U.S.C. 102(e) as being anticipated by Sepe, Jr. (U.S. Pat 6,792,321). The claimed invention reads on Sepe, Jr. as follows:

Sepe, Jr. discloses (claim 23) a system for digitization of work processes in a machinery (figure 2, col. 4 lines 36-60), comprising at least one processor system having a controller, said at least one processor receiving machine data, and said controller controlling the machinery (reference number 300, col. 6 lines 1-9), at least one interface device communicatively coupled

to said processor system for communicating the data received from the processor system (reference number 314-318, col. 6 lines 4-9) to at least one of a mobile computing system and a wearable computer carried by a mobile user (reference number 202, 212), said controller capable of receiving instructions from the mobile user to control the machinery (col. 5 line 65 – col. 6 line 24), a local area network (LAN) in communication with said at least one interface device (reference number 214), at least one antenna assembly having a transceiver system for transmitting and receiving signals from the at least one interface device (reference number 204-212, inherent), and a network server system (reference number 804) communicatively coupled to said at least one antenna assembly via a wireless communication network, said server computer including a database for storing application data accessible by the mobile user (col. 9 line 48 – col. 10 line 13, col. 10 line 66 – col. 11 line 56), (claim 24) wherein said interface device is a wireless access point interface (reference number 214), (claim 25) wherein said access point is capable of communicating the data received from the processor system to the server computer via said LAN (col. 6 lines 4-9), (claim 26) a method of controlling a machine apparatus by a remote user (col. 4 lines 36-60), comprising receiving machine data by at least one processor system having a controller (reference number 300), forwarding the received data to at least one of a mobile unit and a first wearable computer, said first wearable computer carried by a first mobile user via an interface device (figure 2, col. 6 lines 4-9), inspecting the received data to determine machine operational characteristics (col. 6 lines 10-34), forwarding the received data to a remote server via a wireless communication network (server 804, col. 9 line 48 – col. 10 line 13, col. 10 line 66 – col. 11 line 56), receiving, by said first wearable computer, application data stored in said remote server via said wireless communication network (col. 9 line 48 – col. 10

line 13), and instructing the controller to vary the machine operation (col. 9 lines 63-67), (claim 28) wherein said received data is video data (figure 8, 15, col. 9 lines 58-62, col. 12 lines 47-63). Examiner would like to point out that any reference to specific figures, columns and lines should not be considered limiting in any way, the entire reference is considered to provide disclosure relating to the claimed invention.

28. Claims 23-28 are rejected under 35 U.S.C. 102(e) as being anticipated by McCain et al (U.S. Pat 6,330,482). The claimed invention reads on McCain et al as follows:

McCain et al discloses (claim 23) a system for digitization of work processes in a machinery (figure 3) comprising at least one processor system having a controller, said at least one processor receiving machine data, and said controller controlling the machinery (reference number 62, col. 4 lines 5-12, PLC, Col. 5 lines 26-67), at least one interface device communicatively coupled to said processor system for communicating the data received from the processor system (reference number 56, 57, col. 4 lines 5-27) to at least one of a mobile computing system and a wearable computer carried by a mobile user (reference number 60, 61, col. 4 lines 13-36, handheld also considered wearable), said controller capable of receiving instructions from the mobile user to control the machinery (col. 5 lines 26-67), a local area network (LAN) in communication with said at least one interface device (reference number 56, 57, col. 4 lines 1-12), at least one antenna assembly having a transceiver system for transmitting and receiving signals from the at least one interface device (reference numbers 54, 55, 57-59, col. 4 lines 1-26), and a network server system communicatively coupled to said at least one antenna assembly via a wireless communication network (reference number 53, col. 4 lines 1-4,

col. 5 lines 10-25) said server computer including a database for storing application data accessible by the mobile user (col. 5 lines 10-25), (claim 24) wherein said interface device is a wireless access point interface (reference numbers 54, 55, 57-59 considered wireless access point interfaces), (claim 25) wherein said access point is capable of communicating the data received from the processor system to the server computer via said LAN (figure 3, processor 62 to satellite 53 via 56, 55, 54 to 53, via 57, 55, 51, 52 to 53, each would read on limitation), (claim 26) a method of controlling a machine apparatus by a remote user (col. 5 lines 26-67), comprising receiving machine data by at least one processor system having a controller (reference number 62, col. 4 lines 5-27), forwarding the received data to at least one of a mobile unit and a first wearable computer, said first wearable computer carried by a first mobile user via an interface device (reference numbers 60, 61, hand held units considered wearable, col. 2 lines 16-23, col. 4 lines 1-36, col. 5 lines 26-67), inspecting the received data to determine machine operational characteristics (col. 1 lines 41-48), forwarding the received data to a remote server via a wireless communication network (col. 5 line 26 – col. 6 line 60), receiving, by said first wearable computer, application data stored in said remote server via said wireless communication network (col. 5 lines 10-25, col. 6 lines 1-60), and instructing the controller to vary the machine operation (col. 5 lines 26-37), (claim 27) forwarding the received data from said first wearable computer carried by said first mobile user to a second wearable computer carried by a second mobile user (col. 4 line 58 – col. 5 line 9), receiving feedback information from said second mobile user (col. 4 lines 62-66) and fine tuning the machine operation based on the feedback information (col. 5 lines 39-45, considered fine tuning) and (claim 28) wherein said received data is video data (col. 8 lines 41-64). Examiner would like to point out that any

reference to specific figures, columns and lines should not be considered limiting in any way, the entire reference is considered to provide disclosure relating to the claimed invention.

Claim Rejections - 35 USC § 103

29. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

30. Claims 4-8, 12-15 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Petrie et al (U.S. Pat 6,882,904) in view of Perkins et al (U.S. Pat 6,496,477).

Petrie et al teaches most all of the instant invention as applied to claims 1-3, 9-11, 16-19, 21 and 22 above. Petrie et al fails to teach that the system and networks contain the following elements: a router, a private branch exchange network (PBX), a voice over IP (VOIP) gateway, an ethernet interface, an ATM network and communicating data via an orbiting satellite.

Perkins et al teaches a network that contains each of the above elements and is used for communicating with wearable communication and control devices (all).

Petrie and Perkins et al are analogous art because they are both related to data transfer over network communications.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize the well known elements of the communication networks of Perkins et al in the communication and control network of Petrie et al because these elements are well known in the art of network communications and Perkins et al teaches the improved deliver of real-time information from a sender computer to a receiver computer coupled to the sender computer wherein packets sometimes become lost. Using at least one path in the packet network and at least one path-diversity path in the packet network to the same receiver computer (col. 2 lines 15-24) improving packet delivery reliability.

Conclusion

31. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Rao et al (U.S. Pub 2005/0080620) – teaches digitization of work processes using a wireless network and a wearable wireless device.

Tveit et al (U.S. Pub 2002/0087220) – teaches a technician carried mobile device with camera, used for two-way communication with a remote facility.

Blackett et al (U.S. Pat 6,751,562) – teaches controlling power generation facilities using wireless technologies such as Bluetooth and cellular modems.

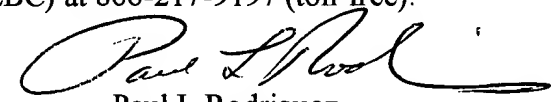
Sinha et al (U.S. Pat 6,697,951) – teaches remote control of micro turbines using wireless networks.

Colborn (U.S. Pat 6,522,955) – teaches a power management system with a turbine and wireless communications a mobile computer, phone or PDA.

32. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul L. Rodriguez whose telephone number is (571) 272-3753. The examiner can normally be reached on 6:00 - 4:30 T-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo P. Picard can be reached on (571) 272-3749. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Paul L Rodriguez
Primary Examiner
Art Unit 2125

PLR
6/7/05